

REMARKS:

The examiner restricted the Applicant to elect one of the groups-group I comprising claims 1-28, group II comprising claims 29-51, group III comprising claims 29-51, claims 52-56, group IV comprising claims 67-69, or group V comprising claims 70-75, under 35 USC §121, provided that if Applicant elects group I or III, claims in the other group will be examined.

CLAIMS ELECTION:

Applicant makes a provisional election with traverse to prosecute the invention group I, claims 1-28, and as stated in item 3 of the office action, claims 29-51 will be examined on the merits.

With regard to group II (claims 29-51) the office action states, "Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as use as a child's toy, i.e., a Wiffle ball." Applicant respectfully submits that (i) children are known to make toy out of nearly every object including some dangerous ones, and that analogy of a play toy applied to inventions is so broad that it would propagate needless restrictions; and (ii) Merriam-Webster Online dictionary defines the "Wiffle" as "used for a hollow plastic ball with cutouts in one hemisphere" whereas invention of group II is nothing like a Wiffle and the invention defines an internal structure as claimed in claims 29-51 which is general symmetric in upper and lower halves, and is useful in chemical processing. Mere fact that the invention of group II, or any other spherical object may be used by children as a ball does not imply separate utility of the packing element of group II because children or their parents are highly unlikely to acquire packing elements to play ball. Applicant respectfully requests the examiner to withdraw restriction concerning invention of group II.

SPECIES ELECTION:

The examiner, in item 13 of the office action, required Applicant to elect allegedly patently distinct species of the claimed invention described as species A

(figures 1 and 2), species B (figure 3), and species C (figure 5). Applicant provisionally elects to prosecute species A (figures 1 & 2) subject to traverse. Applicant respectfully submits that claims 1-28 and 52-66 read at least on species A.

Applicant respectfully submits that claims 1-28 and 52-66 read at least on species A and also read on species B of figure 3. (A complete list of the claims is included in this response). Claims 26-28, define that first and second segments comprise a plurality of segments.

Conclusions

Applicant has made provisional election of claims and species to comply with requirements set by the examiner. Arguments are presented to traverse restriction requirements at least with respect to claims 29-51, and species of figure 3. Applicant respectfully requests the examiner to reconsider restriction requirements.

Respectfully submitted,

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